

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SMARTTRAN, INC.,)	
)	
Plaintiff,)	Civil Action No. 07-381
)	
v.)	Judge McVerry
)	Magistrate Judge Bissoon
ALPINE CONFECTIONS, INC., <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

On August 7, 2008, this case was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On October 15, 2008, the magistrate judge issued a Report (Doc. 90) recommending that Plaintiff's Motion for Partial Summary Judgment on liability (Doc. 56) be denied, and that Defendants' Motion for Summary Judgment (Doc. 73) be granted. Service of the Report and Recommendation was made on the parties, and Plaintiff filed Objections on October 28, 2008. *See* Docs. 91 & 92.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

AND NOW, on this 17th day of December, 2008, IT IS HEREBY ORDERED that Plaintiff's Motion for Partial Summary Judgment on liability (**Doc. 56**) is **DENIED**, and Defendants' Motion for Summary Judgment (**Doc. 73**) is **GRANTED**.

The Report and Recommendation of Magistrate Judge Bissoon dated October 15, 2008 is hereby adopted as the opinion of the District Court.

s/ Terrence F. McVerry
Terrence F. McVerry
United States District Judge

cc (via email):

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